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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,125	12/04/2001	Robert L. Canella	3481.1US (MUEI-0399.01/US)	4166

24247 7590 07/17/2003

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EXAMINER
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JOHNSON, JONATHAN J

ART UNIT	PAPER NUMBER
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1725

DATE MAILED: 07/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/007,125

Applicant(s)

CANELLA ET AL.

Examiner

Jonathan Johnson

Art Unit

1725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-67 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 64-67 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-67 are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Election/Restrictions***

Applicant's election without traverse of Claims 1-11 and 64-67 in Paper No. 5 is acknowledged.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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~~Claims 1-11 and 64-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over~~

Brooks et al. (4,030,622) in view of Sauter et al. (5,911,461). Brooks et al. teach a transport actuator for receiving trays of an IC package (Figure 1, Items 190 and 182); an input and output shuttle assembly for providing the trays of IC packages to and from the tray carrier (Figure 1, Items 180 and 214); and a laser marking station disposed adjacent a portion of the transport actuator between the input and output shuttle assembly (column 6, Line 36); and further including a lifting device extendable to contact the tray carrier at a location remote from the fulcrum (Figure 7, item 22); wherein the tray transport is of lesser longitudinal extent than the tray carrier (Figure 4, item 1) wherein the lifting device is extendable from a location below the tray carrier and adjacent a longitudinal end of the tray transport. (Figure 7, Item 22). Sauter et al. teach a tray carrier unsecured to the transporter wherein an upper surface of the tray transport

and a lower surface of the tray carrier include mutually cooperative physical structures<sup>4</sup>. The system of claim 3, wherein the mutually cooperative physical structures are adapted to align the tray carrier on the tray transport when the tray carrier is disposed thereon, wherein portions of the mutually cooperative physical structures provide a fulcrum for tilting of the tray carrier with respect to the tray transport; wherein the tray transport is rectangular, but for a corner severed therefrom adjacent the fulcrum (abstract and column 2, lines 25-60, figure 4, item 1 edge; a). ; wherein the tray carrier is substantially rectangular and includes a substantially planar upper surface having upwardly extending stops at each corner thereof (Figure 4, item 1); wherein the tray carrier includes a portion of reduced width defined by mutually longitudinally coextensive elongated notches in parallel sides thereof (Figure 4, item 1 edge); wherein the tray carrier includes a plurality of downwardly facing notches in the two parallel sides thereof (Figure 4, item 1) wherein the plurality of downwardly facing notches comprises two notches on each of the two parallel sides of the tray carrier (Figure 4, item 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Brooks et al. to utilize a tray for the wafer in order to reduce the danger of damage (Sauter et al; column 1, lines 40-50).

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### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Johnson whose telephone number is 703-308-0667. The examiner can normally be reached on M-Th 7AM-5:30 PM.

Application/Control Number: 10/007,125  
Art Unit: 1725

Page 4

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dunn can be reached on 703-308-3318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1495.

jj   
July 5, 2003



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TOM DUNN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1700